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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,135	04/16/2004	Shinichi Namiki	MINB-02031/A-3227	8768

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EXAMINER

WOLLSCHLAGER, JEFFREY MICHAEL

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 09/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/826,135	NAMIKI ET AL.	
	Examiner	Art Unit	
	Jeff Wollschlager	1732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The amendment to the claims filed July 21, 2006 has been entered. Claims 1 and 6 are currently amended. Claims 10-13 are new. Claims 1-13 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 6 still contains the recitations "top mold" and "bottom mold". There is insufficient antecedent basis for these limitations in the claim. For the purposes of examination, as supported by the analogous amendment to claim 6, the limitations are understood to be "first mold member" and "second mold member", respectively.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engleberger et al. (U.S. Patent 5,973,424, previously of record) in view of Kobayashi et al. (U.S. Patent 6,756,709, previously of record) and further in view of Kenichi (JP-60249849, previously of record) or Worden et al. (U.S. Patent Application Publication 2004/0056383; priority date August 9, 2002) or Tadanori et al. (JP-09234766; published September 9, 1997) or Lundquist (U.S. Patent 4,452,420; issued June 5, 1984).

Regarding claims 1 and 6, Engleberger et al. substantially teach the basic claimed method of molding an encapsulating resinous material around a stator core, which is positioned on a mold core member/mandrel/movable part within an injection mold. The detailed method steps comprise providing a mold core/mandrel (23), with a cylindrical projection portion, and positioning a stator core on the mold core/mandrel/movable part, and surrounding the assembly with mold members. An encapsulating resin is injection molded around the stator core. (Figure 1, elements (23) and (24); col. 2, lines 1-40) Engleberger et al. further teach the mold core/mandrel is fixed/urged into position with a ram (24).

Engleberger et al. do not teach that the core member/mandrel/movable part is urged into position with springs or that the stator comprises winding of a resolver. However, Kobayahsi et al. teaches the feature of a stator structure of a variable reluctance resolver with inner windings, readable on the claimed resolver. The stator assembly comprises the core and additional components surrounded with a synthetic resin material, wherein a portion of the core is exposed. (col. 4, lines 1-20; col. 6, lines 50-65). Further, Kenichi, Worden et al., Tadanori et al. and Lundquist each individually teach urging the movable part toward the second mold with springs.

Therefore it would have been *prima facie* obvious to one having ordinary skill in the art at the time of the claimed invention to include any number of conventional stator cores, including resolver windings as shown Kobayashi et al. for encapsulating a resolver winding as desired and to modify the core member/mandrel taught by Engleberger et al. with springs as taught individually by each of Kenichi, Worden et al., Tadanori et al. and Lundquist to urge the movable part toward the second mold, for the purpose as taught, for example, by Kenichi, of eliminating the flow of resin into the slot (Abstract).

As to claims 3, 4, 8, and 9, Engleberger et al. teach the claimed materials (col. 2, lines 33-40). It is further noted the materials are conventional.

As to claims 2, 5, and 7, Engleberger et al. discloses that core (23) centers the stator within the mold cavity (col. 1, lines 50-67).

As to claims 10 and 12, Worden et al. (Figure 2, elements (28) and (29) with pin interdisposed), Tadanori et al. (Abstract; Figure 1, elements (8) and (10)), and Kenichi

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(wherein the toothed end portion of the sealing core are reasonably interpreted to be pins), for example, teach attaching the movable member to one of the mold members with a plurality of pins.

As to claims 11 and 13, Worden et al. (Figure 2, elements (28) and (29) with pin interdisposed) and Lundquist (Figure 1, elements (28) and (22)), for example, teach locating the pins with the springs

Response to Arguments

Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

All claims are rejected.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kojima et al. (US Patent Application Publication 2001/0048261) disclose in an analogous method, as conventional, employment of springs and pins to urge molding members together (Figure 4, elements (8) and (9)).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Wollschlager whose telephone number is 571-272-8937. The examiner can normally be reached on Monday - Thursday 7:00 - 4:45, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JW

Jeff Wollschlager
Examiner
Art Unit 1732

a f
CHRISTINA JOHNSON
PRIMARY EXAMINER
9/25/06

September 19, 2006